

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

STATE FARM FIRE AND CASUALTY)	
COMPANY as subrogee of Marcus A.)	
Brawner,)	
)	
Plaintiff,)	Case No. 3:20-cv-00300
)	
v.)	Judge Aleta A. Trauger
)	
AVANT STYLES LLC, also doing business)	
as VIRTU USA,)	
)	
Defendant.)	

**ORDER GRANTING MOTION FOR TAXABLE COSTS AND
FOR ENTRY OF A FINAL JUDGEMENT**

On January 27, 2022, Plaintiff State Farm Fire and Casualty Company filed a Motion for Taxation of Costs and Entry of Final Judgment. (Doc. No. 41). Pursuant to Local Rule 54.01, upon expiration of the 14-day notice period required under Federal Rule of Civil Procedure 54(d)(1), “the Clerk shall tax costs as sought by the prevailing party unless an objection is filed by the opposing party.” L.R. 54.01(a). In support of its Motion, Plaintiff submits the Declaration of J. Stephen Aymett, Jr. who states that Plaintiff incurred costs in the amount of \$456.01, comprised of the \$400.00 filing fee and \$56.01 for service of the Summons and Complaint. (Doc. No. 41-1). The Clerk finds that the costs requested are recoverable under 28 U.S.C. § 1920.¹

¹ The current U.S. Marshal fee for personal service of process is \$65.00 per hour (or portion thereof). 28 C.F.R. § 0.114. “[A] district court may tax costs for private process server fees to the extent that these private process server fees do not exceed the United States Marshal's fees.” *Arrambide v. Wal-Mart Stores, Inc.*, 33 F. App'x 199, 203 (6th Cir. 2002).

A review of the docket confirms that Defendant has not responded or otherwise objected to the Motion within the fourteen (14) day-notice period. Accordingly, Plaintiff's Motion for Taxable Costs is **GRANTED**. Costs are taxed against Defendant Avant Styles LLC, d/b/a Virtu USA in the amount of \$456.01. Any motion seeking court review of the Clerk's taxation must be filed within seven (7) days from the date of the filing of the Taxation of Costs by the Clerk. L.R. 54.01(a).

Further, Plaintiff's Motion for Entry of a Final Judgment is **GRANTED**. On January 26, 2022, the Clerk granted Plaintiff's Second Motion for Default Judgment pursuant to Federal Rule of Civil Procedure 55(b)(1). (Doc. No. 39). Pursuant to Federal Rule of Civil Procedure 58(b)(1)(B), the Clerk directs the Deputy Clerk to enter a final judgment and to close this case.



Lynda M. Hill
Clerk of Court